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**FACSIMILE COVER SHEET**  
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Our Ref.: 4440-17  
 Your Ref.: Appln No. 10/551,228 Date: August 9 2006  
 Office of Initial Patent Examination's Filing Receipt  
 To: Corrections  
 Firm: USPTO  
 Facsimile No.: Facsimile No.: (703) 305-9822  
 From: B. J. Sadoff

Number of Pages (including cover sheet): 5

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**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper and any noted attachments are being facsimile transmitted to the Patent and  
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/B. J. Sadoff/

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ATTACHMENT/S: Request for Correction of Filing Receipt; marked-up copy of Filing  
Receipt mailed 8/2/2006; copy of Declaration filed 9/28/2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                    |   |                    |                |
|------------------------------------|---|--------------------|----------------|
| <u>In re Patent Application of</u> |   |                    |                |
| <u>HATZFELD et al.</u>             |   | <u>Atty. Ref.:</u> | <u>4440-17</u> |
| <u>Serial No.</u>                  | <u>10/551,228</u>   | <u>Group:</u>      | <u>1638</u>    |
| <u>Filed:</u>                      | <u>September 28, 2005</u>   | <u>Examiner:</u>   | <u>Unknown</u> |
| <u>For:</u>                        | <u>PLANTS HAVING MODIFIED GROWTH CHARACTERISTICS AND<br/>METHOD FOR MAKING THE SAME</u> |                    |                |

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

HATZFELD et al.

Atty. Ref.: 4440-17

Serial No. 10/551,228

TC/A.U.: 1638

Filed: September 28, 2005

Examiner: Unknown

For: PLANTS HAVING MODIFIED GROWTH  
CHARACTERISTICS AND METHOD FOR MAKING THE  
SAME

\* \* \* \* \*

August 9, 2006

Office of Initial Patent Examination's  
Filing Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**VIA FACSIMILE**  
**(703) 305-9822**

Sir:

**REQUEST FOR CORRECTION OF FILING RECEIPT**

The Office is requested to provide a Corrected Filing Receipt which indicates the first inventor's listed city and country of residence as "LILLE, FRANCE" and foreign application as "EP 03075975.7 04/01/2003". Attached is a copy of the Declaration filed September 28, 2005, as well as a marked-up copy of the Filing Receipt mailed August 2, 2006, wherein the changes are shown in hand-written text. The Office is requested to advise the undersigned if anything further is required in this regard.

HATZFELD et al. et al.  
Serial No. 10/551,228  
August 9 2006

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: /B. J. Sadoff/  
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| APPL NO.   | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY.DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|------------------------|----------|---------------|----------------|----------|----------|----------|
| 10/551,228 | 09/28/2005             | 1638     | 650           | 4440-17        | 3        | 20       | 5        |

CONFIRMATION NO. 3243

23117  
 NIXON & VANDERHYE, PC  
 901 NORTH GLEBE ROAD, 11TH FLOOR  
 ARLINGTON, VA 22203

## FILING RECEIPT



\*OC00000001984610\*

Date Mailed: 08/02/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

*Lille*  
 Yves Hatzfeld, *Lille*, FRANCE;  
 Valerie Frankard, Rhode-Saint-Genese, BELGIUM;

Power of Attorney: The patent practitioners associated with Customer Number 23117.

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/50136 02/16/2004

## Foreign Applications

*EP 03075975-7 04/01/2003*

If Required, Foreign Filing License Granted: 08/01/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/551,228**

Projected Publication Date: 11/09/2006

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Plants having modified growth characteristics and method for making the same

4440-17

BJS

**COPY**4440-17  
84/USNixon & Vanderhye P.C. (10/89)  
(Domestic Non-Assigned/Foreign) Page 1

**RULE 63 (37 C.F.R. 1.63)**  
**INVENTORS DECLARATION FOR PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I hereby declare that my residence, mailing address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor, (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PLANTS HAVING MODIFIED GROWTH CHARACTERISTICS AND METHOD FOR MAKING THE SAME**

The specification of which (check applicable box(es)):

- [X] is attached hereto  
 [ ] was filed on \_\_\_\_\_ as U.S. Application Serial No. \_\_\_\_\_ (Atty. Dkt. No. 4440-17)  
 [X] was filed as PCT International application No. PCT/EP2004/050136 on 16 February 2004  
 and (if applicable to U.S. or PCT application) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed, or, if no priority is claimed, before the filing date of this application:

| Priority Foreign Application(s):<br>Application Number | Country | Day/Month/Year Filed |
|--|---------|----------------------|
| 03075975.7   | EP      | 1 April 2003         |

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.  
 Application Number Date/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed above or below:

| Prior U.S./PCT Application(s):<br>Application Serial No. | Day/Month/Year Filed | Status: patented<br>pending, abandoned |
|--|----------------------|--|
| PCT/EP2004/050136  | 16 February 2004     |  |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And on behalf of the owner(s) hereof, I hereby appoint Nixon & Vanderhye P.C., telephone number 703-816-4000 (to whom all communications are to be directed) and the attorneys at Customer Number 23117, individually and collectively, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the owner's/owners' attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent. I also authorize Nixon & Vanderhye to add or delete attorneys from that Customer Number, and to act and rely solely on instructions directly communicated from the person, assignee, attorney, firm, or other organization sending instructions to Nixon & Vanderhye on behalf of the owner(s).

|    |   |  |  |                          |
|----|---|--|--|--------------------------|
| 1. | Inventor's Signature:<br>Inventor:                  | <i>Yves Hatzfeld</i>   | HATZFELD<br>(first) MI (last)<br>(state/country) France  | Date: 28/09/05           |
|    | Residence: (city)<br>Mailing Address:<br>(Zip Code) | Lille<br>Rue des Dondaines 18c, Lille, France<br>F-59000                     |  | France<br>(citizenship)  |
| 2. | Inventor's Signature:<br>Inventor:                  | <i>Valerie Frankard</i>  | FRANKARD<br>(first) MI (last)<br>(state/country) Belgium | Date: 29/09/05           |
|    | Residence: (city)<br>Mailing Address:<br>(Zip Code) | Rhodes-Saint-Genèse<br>Bierenberg 47, Rhodes-Saint-Genèse, Belgium<br>B-1640 |  | Belgium<br>(citizenship) |